

**NOTICE OF PROPOSED WATER POLLUTION CONTROL PERMIT  
FOR MALAE HEIAU RESTORATION, WAILUA RIVER STATE PARK, KAUAI  
KAUAI, HAWAII  
NPDES PERMIT NO. HI S000039**

**05-CW-PW-08**

**April 15, 2005**

The State Department of Health ("DOH"), tentatively proposes to issue a National Pollutant Discharge Elimination System ("NPDES") permit to discharge storm water runoff from the Malae Heiau Restoration, Wailua River State Park, Kauai ("Project") to receiving State waters, subject to special conditions to:

**DEPARTMENT OF LAND AND NATURAL RESOURCES  
STATE OF HAWAII**

The proposed draft permit will expire midnight five (5) years from the date of issuance.

The Project proposes to improve the existing Malae Heiau at Wailua River State Park, Lihue, Kauai, Hawaii. Improvements include clearing, grubbing, and revegetation around the heiau walls, installing a geotextile fabric layer within the heiau walls, clearing and grubbing for non-heiau boulder relocation, and trimming of existing vegetation.

Storm water run-off associated with construction activities from the Project is permitted to discharge to the receiving State waters after implementation of Best Management Practices. The discharge may enter Wailua River, Class 1, Inland Waters, at the following coordinate: Latitude 22°02'42"N and Longitude 159°20'13"W.

The receiving water is classified as Class 1, Inland Waters. The objective of Class 1 waters is to remain in their natural state as nearly as possible with an absolute minimum of pollution from any human-caused source. The uses to be protected are all uses compatible with the protection of the ecosystems associated with waters of this Class. These waters shall not act as receiving waters for any discharge which has not received the best degree of treatment or control compatible with the criteria established for this class.

Persons wishing to comment upon or object to the proposed NPDES permit or to request a public hearing, should submit their comments or requests in writing no later than 30 days after the date of this notice, either in person or by mail, to:

**Office Address:**

Clean Water Branch  
Environmental Management Division  
State Department of Health  
919 Ala Moana Boulevard  
Room 301  
Honolulu, HI 96814-4920

**Mailing Address:**

Clean Water Branch  
Environmental Management Division  
State Department of Health  
P.O. Box 3378  
Honolulu, HI 96801-3378

Copies of the proposed draft permit, and other information are available for public inspection, Monday through Friday (excluding holidays) from 7:45 a.m. until 4:15 p.m., at the DOH office address shown above, and the Kauai District Health Office, 3040 Umi Street, Lihue, HI 96766. Copies may be bought. The draft permit and fact sheet are also available on the internet at <http://www.state.hi.us/doh/eh/cwb/pubntcs/index.html>. For more information or if you have special needs due to disability that will aid you in inspecting and/or commenting on the draft permit and related information, please contact Mr. Alec Wong, Supervisor of the Engineering Section, Clean Water Branch, at the above address or (808) 586-4309 (Voice) at least seven (7) days before the comment deadline. For those who use a TTY/TDD, please call through Verizon-Hawaii Telephone Relay Service, at 1-711 or (808) 643-8822.

All comments and requests received on time will be considered. If DOH determines that there is significant public interest, a public hearing may be held after at least 30 days of public notice.

If DOH's position is substantially unchanged after considering all timely written comments and all oral comments at any public hearing that may be held, then the DOH will issue the NPDES permit and this action will be final.

Please notify anyone you know who would be interested in this matter.

Chiyome Leinaala Fukino, M. D.  
Director of Health

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